

Decision No. 11226.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of)
Southern Pacific Company for per-)
mission to construct a spur track)
at grade across Beck Street in the)
City of Oakland, County of Alameda,)
State of California.)

Application 8377.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, having on November 3, 1922, filed with the Commission an application for permission to construct a spur track at grade across Beck Street in the City of Oakland, County of Alameda, State of California, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the necessary franchise or permit (Resolution No. 25076 N.S.) has been granted by City Council of said City of Oakland for the construction of said crossing at grade, and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said Beck Street, and that this application should be granted subject to the conditions hereinafter specified.

IT IS HEREBY ORDERED, that permission be and it is hereby granted Southern Pacific Company to construct a spur track at grade across Beck Street in the City of Oakland, County of Alameda, State of California, described as follows:

BEGINNING at a point on the southerly line of Beck Street, distant thereon westerly 291.0 feet, more or less, from the westerly line of 73rd Avenue; thence in a northeasterly direction on a curve concave to the left whose radius is 231.01 feet an arc distance of 65 feet plus or minus to a point on the northerly line of Beck Street, said point being 254.00 feet, more or less, from the westerly line of 73rd Avenue.

All of the above as shown by the map (East Bay Division Dwg. 3519) attached to the application; said crossing to be constructed subject to the following conditions, viz:-

(1) The entire expense of constructing the crossings, together with the cost of its maintenance thereafter shall be borne by applicant.

(2) Said crossing shall be so constructed that grades of approach not exceeding four (4%) per cent will be feasible in the event that the construction of a roadway along said Beck Street at grade across said track shall hereafter be authorized, and so that such a grade crossing may be made safe for the passage thereon of vehicles and other road traffic.

(3) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing.

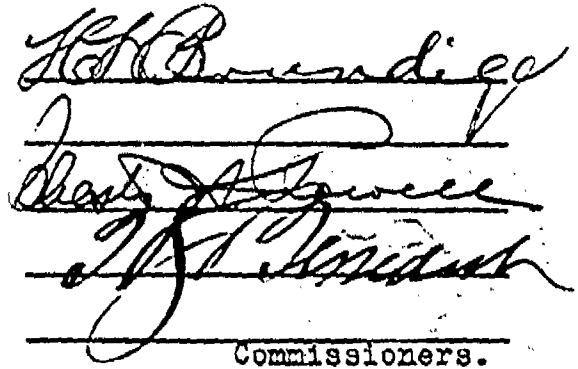
(4) The authorization herein granted for the installation of said crossing will lapse and become void one year from the date of this order unless further time is granted by subsequent order.

(5) This order is made upon the express condition that Beck Street is not now actually constructed and open to travel at the point of crossing, and said order shall not be deemed an authorization for the construction of and opening said street to public use

and travel across said railroad track.

(6) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossing as to it may seem right and proper, and to revoke its permission if, in its judgment, the public convenience and necessity demand such action.

Dated at San Francisco, California, this 13th day of November, 1922.


Commissioners.